

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 4, 10, 11, 18 and 19 have been amended herein. Claim 24 has been added. Claims 1-24 are pending.

Claims 1-23 stand rejected under 35 U.S.C. § 102 as allegedly being anticipated by Kami et al. (U.S. Patent No. 6,283,507) or, in the alternative, as being obvious over Kami et al. (hereinafter "Kami") in view of Li et al. (U.S. Patent No. 6,177,366). Applicant respectfully traverses these rejections for the reasons set forth below.

The Finality of the Office Action Should Be Withdrawn

In the first Office Action, the PTO rejected claims 1-18 as being obvious over Kami et al. in view of Stockwell (U.S. Patent No. 5,359,735). In response to the first Office Action, applicant amended the claims to improve clarity and to place the claims in more typical U.S. format.

In the final Office Action, the PTO rejects claims 1-23 as being anticipated by Kami et al. or in the alternative as obvious over Kami in view of Li et al. (hereinafter "Li"). According to the Examiner, applicant's amendment necessitated the new grounds of rejection. It is respectfully submitted that the Examiner is in error and that it was improper and premature for the Examiner to make the new rejection final.

M.P.E.P. 706.07(a) recites that "a second or any subsequent action on the merits in any application . . . should not be made final if it includes a rejection, on prior art not of record, of any claim amended to include limitations which should reasonably have been expected to be claimed." Applicant submits that the PTO was in error in making the February 17, 2004 rejection final. Accordingly, the finality of the Office Action should be withdrawn and a new Office Action should issue.

Claims 1-24 are Patentable Over the Prior Art of Record

Claims 1-23 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kami or, in the alternative, under 35 U.S.C. § 103 as being obvious over Kami in view of Li. Applicant respectfully traverses these rejections for the reasons set forth below.

The present invention recites an airbag where “a first silicone placed on at least one of said opposed sides of the first and second portions, the first silicone comprising a thermosetting silicone; and a second silicone interposed between the first and second portions at a junction thereof, the second silicone comprising a solventless addition room-temperature-vulcanizing adhesive silicone”. Moreover, the claims recite that in the airbag, the “second silicone [is] interposed between the first and second portions at a junction thereof”. Accordingly, the claimed airbag is soft and lightweight, is more airtight, has a smaller folded volume, and has good endurance. Moreover, the claimed airbag can be manufactured by a simple manufacturing method (See, e.g., specification, page 3, paragraph [0011]).

Kami relates to lightweight airbags formed out of a high density woven fabric. Kami discloses the use of silicone system coatings (See, e.g., Col. 9, line 18). However, Kami fails to teach or suggest an airbag where a first silicone is placed on at least one of said opposed sides of the first and second portions, the first silicone comprising a thermosetting silicone; and a second silicone interposed between the first and second portions at a junction thereof, the second silicone comprising a solventless addition room-temperature-vulcanizing adhesive silicone. Kami also does not disclose or suggest that the second silicone is interposed between the first and second portions at a junction thereof, as claimed. As such, Kami does not anticipate the instant claims. Kami also would not have rendered the instant claims obvious. Li does not cure the deficiencies in Kami.

Li discloses an airbag coating compositions comprising at least two separate and distinct layers. The first layer (base coat) which is in contact with the airbag surface comprises a composition of at least one coating material which may comprise up to 30% by parts of the total amount of material in the first layer of a silicone resin. The second layer is a coating for the first layer to prevent degradation of the first layer. Li fails to teach or suggest

the instantly claimed invention invention. Particularly, Li does not disclose or suggest the placing position and function of the second silicone (layer).

As such, neither Kami nor Li, either alone or in combination, disclose or suggest the claims as set forth in claims 1, 18 and 19. Since claims 2-17 and 20-24 depend from these claims, for at least this reason these claims are patentable over Kami and Li.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

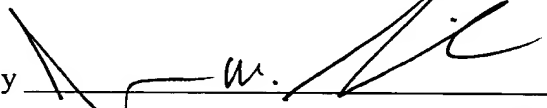
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

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